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PART IV

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

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Five Year Plan for Motor Vehicle Safety and Fuel Economy Rulemaking

Invitation for Applications for Financial Assistance

[4910-59]

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[49 CFR Chapter V]

[Docket No. 78-07; Notice 1]

FIVE YEAR PLAN FOR MOTOR VEHICLE SAFETY AND FUEL ECONOMY RULEMAKING AND INVITATION FOR APPLICATIONS FOR FINANCIAL ASSISTANCE

AGENCY: National Highway Traffic Safety Administration, Department of Transportation.

ACTION: Request for public comment and invitation for applications for financial assistance in the preparation of such comments.

SUMMARY: This notice invites public comment on a draft plan for the motor vehicle safety and fuel economy rulemaking of the National Highway Traffic Safety Administration (NHTSA) over the next five years. The plan briefly describes the criteria used to establish the proposed rulemaking priorities and each planned rulemaking action. Also discussed is a variety of rulemaking actions that the agency is contemplating terminating or deferring. At the outset it should be emphasized that this plan will be updated periodically in response to the dynamic environment in which rulemaking must take place. Publication of the draft rulemaking plan will provide the vehicle manufacturers and other members of the public an opportunity to participate early in the agency rulemaking process. It will also put the manufacturers on notice by providing them with indications of the direction that the motor vehicle safety and fuel economy rulemaking programs will be following in advance of the formal initiation of rulemaking.

DATES: Comments due on June 14, 1978. Applications for financial assistance to aid in the preparation of comments on this notice must be received on or before April 10, 1978.

ADDRESSES: Comments should refer to the docket number and must be submitted (preferably in ten copies) in writing to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street SW., Washington, D.C. 20590. Submissions containing information for which confidential treatment is requested should be submitted (preferably in three copies) to: Chief Counsel, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street SW., Washington, D.C. 20590, and seven additional copies from which the purportedly confidential information has been deleted should be sent to the Docket Section. Applications for financial assistance should be submitted to Ms. Jeanette Feldman, Public and Consumer Affairs, National Highway Traffic Safety Administration, Room 5232, 400 Seventh Street SW., Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT:

Mr. Joseph Delahanty, Chief, Special Projects Planning Staff, Plans and Programs, National Highway Traffic Safety Administration, Room 5212, 400 Seventh Street SW., Washington, D.C. 20590, 202-426-1570.

SUPPLEMENTARY INFORMATION: NHTSA invites all qualified individuals and organizations financially unable to participate in this proceeding to apply for financial assistance. All applications submitted before the deadline specified at the beginning of this notice will be examined by an evaluation board, composed of NHTSA and Department of Transportation officials, to determine whether each applicant is eligible to receive funding. Consideration of late applications is at the discretion of the evaluation board.

In general, an applicant is eligible if (1) it represents an interest whose representation can reasonably be expected to contribute to a full and fair determination of the issues in the proceeding, (2) its participation is reasonably necessary to represent that interest, (3) it can competently represent that interest, and (4) it lacks sufficient resources to participate in the absence of such assistance. If more than one applicant representing the same or similar interest is deemed eligible, the board will either select the applicant which can make the strongest presentation or select more than one applicant if the eligible applicants seek to represent significantly different points of view or proposals. Compensation is available only for reasonable out-of-pocket expenses necessary to the applicant's participation, to the extent the agency's budget for this purpose will permit. Payment is made as soon as possible after the selected applicant has completed its work and submitted a claim.

Each applicant should specify in its application which rulemaking actions and issues it proposes to address if its application for funding is approved, and the nature of its proposed work product. Applicants must submit as part of their application all information required by section 5 of the financial assistance regulations which governed the operation of the Department's public participation regulations (42 FR 2864; January 13, 1977). Failure to submit the required information may result in delays in evaluation and possible disqualification of the application. Interested persons are invited to submit written comments on all aspects of this proposal. In view of the number and breadth of issues in this notice, the agency has determined that the 15-page limitation in 49 CFR 553.21 (November 14, 1977; 42 FR 58949) on rulemaking should not apply to this notice. Instead, a limit of 30 pages for comments on this notice is adopted. Additional supporting material may be submitted as appendices or attachments. Comments should refer to Docket Number 78-0 and be submitted to the Docket Section at the address provided at the beginning of this notice.

All comments received before the close of business on the comment closing date indicated above will be considered, and will be available for examination in the Docket Section at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. However, the issuance of a NHTSA rulemaking plan may occur at any time after that date, and comments received after the closing date and too late to be considered will be treated as suggestions for future changes in the plan. Since changes will be reflected by periodically updating the plan in response to revisions required by a changing environment.

The NHTSA will continue to file relevant material as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new materials.

The program official and lawyer principally responsible for the development of this draft plan are Joseph Delahanty and Stephen Wood, respectively.

(Sec. 9, Pub. L. 89-670, 80 Stat. 931 (49 U.S.C. 1657); sec. 301, Pub. L. 94-163, 89 Stat. 901 (15 U.S.C. 2002) secs. 103, 112, 119, 203, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1401, 1407, 1423); delegation of authority at 49 CFR 1.50.)

Issued on March 10, 1978.

JOAN CLAYBROOK,
Administrator.

FIVE YEAR PLAN FOR MOTOR VEHICLE SAFETY AND FUEL ECONOMY RULEMAKING

This is NHTSA's draft plan for motor vehicle safety and fuel economy rulemaking for the next 5 years. The objectives of the plan are two-fold.

(1) First, to provide a working document for use within NHTSA for the development and issuance of motor vehicle safety and fuel economy standards.

(2) Second, to provide the public with information on proposed future activities, encourage comments and reactions at the early stages of rulemak-

ing development, and permit the industry to anticipate potential requirements in its long-range planning.

The plan is presented in two sections. Section I briefly describes the tentative rulemaking goals and priorities and identifies those areas where significant rulemaking is not expected to take place.

Section II presents a rulemaking schedule showing the anticipated dates for issuance of notices and final rules and a rough estimate of the anticipated effective dates. Also included are those pending rulemaking actions which NHTSA contemplates terminating.

An Appendix describes in more detail the individual motor vehicle safety rulemaking actions. Interested persons may obtain copies of the Appendix free of charge by contacting Ms. Eleanor Kitts, Office of Management Services, National Highway Traffic Safety Administration, Room 4423, 400 Seventh Street SW., Washington, D.C. 20590, 202 426-1874. Included in the Appendix is a discussion of the harm that a regulation is designed to ameliorate, the approach to be used in developing and issuing the rule, and some of the major issues to be resolved in the development of the final rule. Fuel economy standards are described fully in the main body of the five-year plan and thus are not included in the Appendix.

This plan is intended to be a dynamic document. It is expected to be updated and amended in response to technological innovations, changes in resource availability, new crash injury findings, persistent safety hazards or other pertinent information. It is a realistic expression of the agency's intent which will serve as a guide and prod to the government's performance. It contains specific goals and timetables against which the agency's rulemaking progress can be judged.

This plan for improving vehicle safety and fuel economy is also the result of a careful assessment of the capabilities of the agency. In the process of assigning priorities to motor vehicle safety programs, a significant number of proposed rules have been identified as candidates for termination or deferral. The contemplated terminations or deferrals are made with full recognition that most if not all of the affected rules would result in positive safety benefits. Even with these significant reductions, the plan will fully use all of the funding and staffing resources NHTSA now has available. However, it is anticipated that with more efficient and effective management, the rulemaking program can be successfully implemented under this plan. The agency's resources will be concentrated in those areas where the greatest payoff lies rather than being disbursed over numerous projects with no defined completion dates.

SECTION I: RULEMAKING PRIORITIES

A. MOTOR VEHICLE SAFETY

Motor vehicle traffic crashes claim nearly 47,000 lives annually, or almost 130 lives every day of the year, the equivalent of a major airline disaster each day. This represents about one-half of the deaths due to all types of accidents in the United States. Motor vehicle crashes are by far the largest killer of young people between ages 1 to 24 and are the single largest cause of paraplegia. Fatalities are only a part of the problem. Approximately 2 million people suffer disabling injuries each year and millions more are injured less severely. The overall measurable loss to society is estimated to be more than $38 billion per year, a sum that does not begin to show the true magnitude of the cost of crashes since it is impossible to place a dollar value on life or to quantify the cost of pain and suffering. With the introduction of a greater number of lighter passenger cars, motor vehicle crashes may become an even more serious problem unless appropriate actions are taken.

Although substantial progress has been and is being made in motor vehicle safety, traffic crashes remain a serious public health problem and there is considerable work yet to be accomplished. The motor vehicle must be made more socially responsible in terms of both safety and energy efficiency. This motor vehicle rulemaking plan represents NHTSA's best effort to select rulemaking areas that will result in the greatest reduction of fatalities and injuries while at the same time continuing to conserve energy through the production of more fuel-efficient automobiles.

With the decision on automatic restraint systems, one of the most serious hazards confronting the motoring public—the danger associated with frontal crashes in passenger cars—is expected to be reduced significantly. When all passenger cars have been equipped with passive restraints, the agency anticipates a reduction in automobile fatalities approaching 20 percent or approximately 9,000 lives per year, assuming 75 percent compliance with air bags and 25 percent with passive belts.

The challenge now facing the Department is to address other areas and other vehicles where the promulgation of Federal motor vehicle safety standards would significantly enhance the safety of the public. In some areas this can be achieved very quickly. In others, the existence of a serious safety hazard, in and of itself, may not be a sufficient basis for preparing immediate rulemaking. There must also be a solution or reasonable chance of developing a solution to that problem. Where certain types of deaths and injuries are occurring, but solutions are not readily apparent, research is required. Even where solutions may be available, research may be necessary to identify the cause of the harm sufficiently so that an objective performance standard to ameliorate the injuries can be established. In other cases innovative suppliers have developed remedies which makes it possible for the agency to move quickly.

In setting motor vehicle safety rulemaking priorities, and in establishing the scope of the program, the NHTSA considered the following factors:

(1) Number of deaths and injuries.

(2) Availability of practical solutions.

(3) Research and engineering data on the problem.

(4) Anticipated costs to consumers and industry.

(5) Lifesaving potential of a safety standard.

For the near-term, there are a number of areas in which the NHTSA has been working for several years and where feasible solutions are readily available. While some of these areas may not result in a dramatic improvement in public safety, the costs are generally minor and the action can be easily taken. Therefore, they are included in the plan.

Additionally, there are a number of present standards where relatively minor changes can significantly improve their quality. Here, amendments would clarify compliance tests or modify the standard to reduce its cost to the public without any associated reduction in safety.

The plan classifies safety rulemaking activities into three categories: *rulemaking initiatives, technical amendments,* and *exploratory rulemaking.* Rulemaking initiatives include those areas in which research has advanced to the point where it is clear that rulemaking is a reasonable way to solve a fairly well-defined problem. Technical amendments include that class of projected rulemaking actions in which the principal focus is to clarify present standards or resolve a specific technical problem. In most cases, the cost of technical amendments will be negligible. The final class, exploratory rulemaking, covers those activities where research and engineering analyses have not yet reached the point where rulemaking can be definitively scheduled. Although a rulemaking schedule for this class is not included, it should be recognized that at such time as the necessary research and analysis is completed and rulemaking is shown to be warranted, an appropriate action will be initiated promptly. The NHTSA is devoting a significant amount of its resources to both research and engineering analysis for ex-

ploratory rulemaking, and expects this commitment to result in rulemaking during the next several years.

In developing priorities, it was apparent that in the past the agency has not focused its rulemaking capabilities. In the past, hard priorities were rarely set, and as a result, NHTSA resources were diluted. By trying to develop standards in too many areas, the agency reduced the effectiveness of the rulemaking program as a whole.

Probably the most difficult task the NHTSA faced in establishing priorities was the decision of where to draw the line. Identification of the highest priorities was not particularly hard. However, trying to decide how much of the agency's resources could be usefully directed at these problems was a far more subjective determination. Thus it was necessary to examine each rulemaking area in terms of the relative improvement in public safety that would be realized from the dedication of additional resources.

While recognizing the difficulty in deciding to forgo rulemaking in any specific area, this plan explicitly identifies each of those areas.

Although this plan represents NHTSA's current thinking on the nature of future motor vehicle rulemaking activities, it must be recognized that motor vehicle regulatory programs operate in a dynamic environment. New areas of activity may be added, schedules may be changed, or some of the presently comtemplated activities may be deleted. For example, as a result of public petitions, technological breakthroughs, or new safety problems revealed by accident investigation studies, additional rules or modifications to existing rules may be required.

Similarly, a cancellation or delay in the scheduled issuance dates of certain rules may be necessary. This could be a result of indecisive research findings, redundancy among various rules, and unanticipated cost impacts. (Manufacturer costs and consumer price are evaluated thoroughly prior to the issuance of any rule.)

Such changes cannot be predicted in advance. However, to at least partially accommodate this problem, the rulemaking plan will be updated and revised annually to reflect the changes.

1. *Motor Vehicle Safety Rulemaking Priorities—Occupant Protection.* Increased protection has been afforded passenger car occupants in frontal crashes as a result of the passive restraint rule. The agency has as one of its priotities the extension of passive protection to occupants of light trucks, vans, and multi-purpose vehicles. The next major cause of injuries and fatalities is side crashes. Of the 25,000 front seat occupants who were killed in crashes during 1976, about 7,000 were victims of side crashes. Thus, improving the safety of people involved in side crashes in passenger cars, light trucks, vans and multi-purpose passenger vehicles is the NHTSA's highest occupant protection priority. In the near-term, resources will be focused on upgrading present side crash requirements with the ultimate intention of requiring significantly higher levels of side crash protection as a part of a comprehensive set of total vehicle crashworthiness performance standards.

The major, longer-term objectives will be to consolidate and upgrade all occupant protection rules. NHTSA expects to develop a new series of occupant protection standards in which each standard would comprehensively cover frontal, side, rear, or rollover crash protection. Requirements for improved seating systems would also be included.

These standards would build upon the knowledge that was gained in the development of the passive restraint requirement. The standard requiring passive restraints was a major breakthrough. No longer was a standard promulgated in terms of the performance of a specific vehicle component. Rather the passive restraint standard is defined in terms of overall vehicle performance as measured in terms of anticipated injury levels on test dummies.

These new comprehensive standards would also be developed in terms of injury levels that would occur in frontal, side, rear, or rollover dynamic crash tests. This requires the development of an advanced test dummy, an activity which will be given very high priority. The new standards would replace most of the existing occupant protection standards which apply to separate vehicle components. Consolidated performance standards should not only result in a higher level of occupant safety, but should also provide manufacturers with a significantly greater level of design flexibility in meeting occupant protection requirements. Another result of this new series of occupant protection standards would be to reduce the aggressiveness of vehicles in multi-vehicle crashes.

Light Trucks and Vans. Another safety problem stems from the increased growth of light trucks and vans in the vehicle fleet. Standards applied to passenger cars were generally not applicable to light trucks and vans. With the enormous increase in the use of these vehicles in lieu of conventional passenger cars, the number of preventable, accident-related injuries and fatalities is growing. In 1976, almost 5,000 light truck and van occupants were killed in vehicle crashes. Thus, in the near future, the NHTSA plans to extend the applicability of many of its present standards to cover these vehicles in either their present form, or modified with respect to the particular performance needs of these vehicles.

Pedestrian Safety. Another of the critical areas confronting the NHTSA is pedestrian safety. About 7,000 pedestrians were killed in vehicle accidents during 1976. This is an area where little has been accomplished to date with respect to vehicle safety standards. It is an area where the options open to the NHTSA include activities other then rulemaking. To date, most of NHTSA's attention to this problem has come through the traffic safety program under the Highway Safety Act. However, the magnitude of the problem is such that the NHTSA should explore all options. Thus, a long-term priority of the NHTSA is the development of vehicle standards that will reduce injuries to pedestrians who are struck by motor vehicles. In the near-term, the agency contemplates issuing a rule to eliminate exterior protrusions that contribute to pedestrian injury and to subtantially expand research into the causes and prevention of pedestrian injuries.

Braking Systems. Braking is the fourth area in which an increase in the NHTSA's efforts is contemplated. Although substantial improvements have been made, vehicle braking performance should be susceptible to further improvement with a consequent reduction in crash occurrences and severity.

There is a wide array of problems associated with current braking systems. Some examples are differential stopping distance among vehicles of various types (e.g., passenger cars and trucks), the varied reliability and performance of aftermarket brakes, and the problems associated with inspection and diagnosis of degraded systems. NHTSA is contemplating several new standards in the area of braking and an upgrade of several existing standards. These rules should be issued in the near future.

Over the longer term, high priority is being given to advanced concepts such as long-life brake systems, automatic brakes and anti-lock brakes for passenger cars and motorcycles. Although more research and development is needed before a precise date can be set for issuing more advanced braking standards, the work that has been completed is promising.

2. *Terminated and Deferred Rulemaking Activities.* There are a number of motor vehicle safety areas where rulemaking is planned to be either terminated or deferred until further action is warranted. None of these areas is without potential safety benefits.

Because resources are limited, priorities have been established and efforts concentrated on the most serious

problems and in program areas where the greatest reduction in fatalities and injuries can be expected.

A. TERMINATED RULEMAKING ACTIONS.

In the past, the NHTSA has initiated rulemaking in a number of areas by issuing an Advanced Notice of Proposed Rulemaking (ANPRM) or a Notice of Proposed Rulemaking (NPRM) or by granting a petition, but has not completed the action by issuing a rule. A review of the almost 70 active dockets reveals that a number of actions were not completed either because the NHTSA's limited resources were directed toward higher priority actions, the magnitude of the problem was not large, or the NHTSA was unable to adequately document the nature and extent of the problem. A listing and brief discussion of each of the 13 actions which the agency contemplates terminating is presented in Section II-C.

B. DEFERRED RULEMAKING ACTIVITIES.

In a number of other areas, NHTSA plans no new initiatives. However, the NHTSA intends to issue technical amendments as needed to maintain the effectiveness of the existing standards and to respond to petitions to amend standards when justified. One example of how the agency expects to react to changing circumstances is shown by Standard 301, Fuel System Integrity. In the face of some recent serious accidents that resulted in vehicle fires, NHTSA has been testing a number of vehicles in car-to-car, rear end crashes. When these tests are completed, an amendment of the present standard may be proposed.

The following list identifies current Federal Motor Vehicle Safety Standards (FMVSS) and other areas in which new rulemaking activity will be at a minimum unless some event occurs which warrants a reexamination of an area:

102 Transmission Shift Sequence, etc.
103 Windshield Defrosting and Defogging
104 Windshield Wiping
106 Brake Hoses
107 Reflecting Surfaces
110 Tire Selection and Rims
112 Headlamp Concealment
113 Hood Latch Systems
116 Brake Fluids
117 Retreaded Tires
118 Power Windows
123 Motorcycle Controls
124 Accelerator Controls
125 Warning Devices
126 Truck—Camper Loading
205 Glazing Materials
211 Wheel Nuts, etc.
212 Windshield Mounting
215 Exterior Protection
217 Bus Window Retention
219 Windshield Zone Intrusion
220 School Bus Rollover
221 School Bus Body Strength
301 Fuel System Integrity
Trailer Towing Jacking Systems

B. MOTOR VEHICLE FUEL ECONOMY

This section summarizes the current plan of NHTSA for establishing and modifying average fuel economy standards for passenger automobiles, light trucks and vans, and for establishing and revising procedural regulations under the authority of Title V, Motor Vehicle Information and Cost Savings Act (hereafter called "the Act"). It identifies each planned rulemaking activity with milestones for issuance of final rules, NPRM's and ANPRM's through 1983. The Voluntary Truck and Bus Fuel Economy Improvement Program, which is also administered by NHTSA, is not included in this Plan.

1. *Passenger Automobiles.* The Act requires an evaluation of the capability of the automobile manufacturers to meet the passenger automobile average fuel economy standard of 27.5 miles per gallon (MPG) for model year 1985 at the time of the January 1979 annual report to the Congress. Further, the President has directed the Secretary of Transportation to "begin the analytic work necessary to examine how his authority should be used to raise mileage standards above 27.5 mpg beyond 1985." To meet these requirements, NHTSA plans to conduct the necessary analyses and issue a notice of proposed rulemaking covering model year (MY) 1985 and 1986 passenger automobiles in January 1979. The final rule will follow in six months, July 1979. During this same rulemaking activity, fuel economy standards for MY 1984 will be reexamined. Approximately two years later this process will repeat for MY 1986-1988 passenger automobiles with the NPRM to be issued in March 1981 and the final rule in August 1981. This contemplated sequence of passenger car rulemaking will maintain the 4-to-6 year lead time between issuance of the standards and start of production. In some cases an ANPRM may be issued about one year in advance of the NPRM.

2. *Light Trucks and Vans.* The Act requires fuel economy standards to be set for light trucks and vans at least 18 months before the start of the model year. The NHTSA set the requirements for MY 1979 light trucks and vans of certain classes on March 14, 1977 (42 F.R. 13807). NHTSA plans to issue the final rule establishing standards for classes of MY 1980 and 1981 light trucks and vans in March 1978. The NPRM was published in December 1977 (Dec. 15, 1977, 42 F.R. 63184). Work on the standards for MY's 1982 and 1983 will begin this spring and a final rule will be issued about a year later. The 1982-1983 rulemaking is expected to give a three-year lead time for the MY 1983 vehicles. If it proves possible, MY 1984 light trucks and vans will be included in this rulemaking cycle. The next rulemaking will cover MY's 1984-1986 and will follow one year later with an NPRM in March 1980 and a final rule in August 1980. Note that this rulemaking corresponds to the 1984-1986 passenger automobile rulemaking but is delayed one year. Rules for MY 1986-1988 light trucks and vans will be set with an NPRM in March 1982 and a final rule in August 1982. Since most of the R&D on automotive fuel economy issues to date has emphasized the passenger automobile, much R&D must be conducted on the fuel economy of light trucks and vans to provide the substantive basis for rulemaking that most accurately reflects the manufacturers' potential capability to improve fuel economy of those vehicles.

3. *Low-Volume Manufacturers.* The Act permits manufacturers with less than 10,000 passenger automobiles annual production to petition for a reduction in the average fuel economy standards applicable to them under certain conditions. In July 1977, NHTSA issued the regulations pertaining to petitions for reduction for low-volume manufacturers and the procedures for handling such petitions. (July 28, 1972; 42 F.R. 38374) The Act requires that NHTSA set an alternative standard at the maximum feasible level if it grants a waiver from the applicable standards. There must also be an opportunity for public comment. By January 1978, four complete petitions had been received. NHTSA plans to complete the processing of these petitions by April 1978.

Experience with the current regulations indicates that some modification may be advisable to streamline the process. Accordingly, NHTSA expects to issue an NPRM in March 1978 and a final rule in September 1978 to modify the current regulations governing petitions for reduction from low-volume manufacturers.

4. *Petitions for Reduction, 1978-1980 Passenger Automobile Standards.* The Act provides for reductions in the average fuel economy standards for MY's 1978, 19079, or 1980 passenger automobiles when a manufacturer can show that the Federal standards for emissions, safety, noise, or damageability which become effective during those model years adversely affect fuel economy. NHTSA issued the final rule on the contents and procedures for disposition of petitions for reduction on November 14, 1977. (42 F.R. 58938). There is little evidence to suggest that any manufacturer will petition for a reduction for MY 1978 or 1979, although there may be some petitions for MY 1980. In this case, it is important that NHTSA issue a final decision on any such petition shortly after the start of the model year. NHTSA is preparing for this possibility by supporting independent assess-

ments of the relationships between engine efficiency and emission levels.

RULEMAKING SCHEDULE

Section II summarizes the contemplated milestones for the various rulemaking activities described above and shows their relations in time. This plan lists proposed effective dates, that is, the vehicle model year for which a rule takes effect. These are included to provide a means by which the public can respond to NHTSA's current thinking on the appropriate relationships betwen the time a rule is issued and the time the level of performance required is incorporated into vehicles sold in the marketplace. In specific instances, the timing of the effective date will depend on such factors as the complexity of the rule, the research and engineering requirements, and the possible need for vehicle redesign.

The following are definitions of some of the terms used in Section II:

(1) ANPRM (Advanced Notice of Proposed Rulemaking) typically identifies a problem which may require rulemaking, describes the general direction of agency thinking and requests comments and information on specific issues regarding the problem and its solution.

(2) NPRM (Notice of Proposed Rulemaking) either sets forth the text of a proposed rule or describes the subjects and issues involved and invites public comment.

(3) RULE is an order, regulation, or safety standard issued under the National Traffic and Motor Vehicle Safety Act or the Motor Vehicle Information and Cost Savings Act (for fuel economy rulemaking). It specificies the agency's final decision on an issue and has the force of law.

(4) EFFECTIVE DATE indicates the vehicle model year in which it is anticipated that a regulation or safety standard will first take effect and compliance will be legally required.

It should be noted that the schedule for ANPRM's, NPRM's, and Rules is based on the Federal fiscal year (October 1 to September 30). Fiscal years are identified by the calendar year in which they end. Thus, fiscal year 1980 is the time period, October 1, 1979, to September 30, 1980. Effective dates refer to the vehicle model years, which usually begin on September 1 and are also identified by the calendar year in which they end. Thus, model year 1980 vehicles generally become available on September 1, 1979.

SECTION II: RULEMAKING SCHEDULE

A. MOTOR VEHICLE SAFETY RULEMAKING

1. *Rulemaking Initiatives*[1]

Side Impact Protection (Upgrade). Amend FMVSS 214 by defining occupant compartment integrity criteria for passenger cars, light trucks, vans and multipurpose passenger vehicles struck by a moving barrier and specifying padding performance criteria by defining injury limits for a test dummy under dynamic crash conditions. (NPRM 1980, rule 1981, effective 1984-85.[2])

Collapsible Steering Columns, Column Displacement and Interior Impact Requirements. Extend FMVSS 201, 203, and 204 to all vehicles under 10,000 pounds Gross Vehicle Weight Rating (GVWR) (e.g. light trucks, vans and multi-purpose passenger vehicles). Upgrading of the present FMVSS 203 and 204 requirements will also be considered. (NPRM 1978, rule 1980, effective 1981-1983.)

Passive Restraints. Passive protection requirements of FMVSS 208 will be extended to all vehicles under 10,000 pounds Gross Vehicle Weight Rating (GVWR) (e.g. light trucks, vans and multi-purpose passenger vehicles). (NPRM 1980, rule 1981, effective 1984.)

Exterior Protrusions. No protrusions serving only decorative or identification purposes may be mounted on any vehicle which would increase the risk of personal injury to pedestrians or cyclists. (NPRM 1978, rule 1979, effective 1980-81.)

Truck Rear Underride Protection. Require protective devices to eliminate vehicle penetration under the rear-ends of heavy trucks and trailers and to dissipate crash force, thus reducing accident severity. (NPRM 1980, rule 1981, effective 1982-83.)

Child Restraint Systems. Extend the applicability of FMVSS 213 to infant restraints and child harnesses and require a dynamic test using test dummies. (NPRM 1978, rule 1979, effective 1980.)

School Bus Crash Protection. Consider amending FMVSS 222 to allow for greater passenger comfort on long distance and special activity trips by permitting seats on activity buses to be spaced further apart and extend FMVSS 222 to day-care center buses. (NPRM 1978, rule 1979, effective 1979-81.)

Hydraulic Brake Systems. As an interim measure leading to a substantial upgrading of truck braking performance requirements, this rule will expand the coverage of FMVSS 105, including split service systems requirements, to all vehicles.[3] The standard now covers only passenger cars. (NPRM 1979, rule 1980, effective 1983.)

Standardized Vehicle Identification Number (VIN). Improve the accuracy with which vehicles that have been stolen or involved in safety defect recall campaigns, can be identified by requiring a 30-year cycle, worldwide standardized VIN for all motor vehicles. (NPRM issued rule 1979, effective 1980-1981.)

Passenger Car Tire Traction. Establish minimum performance values for passenger car tire wet traction as tested on the surfaces utilized for the Uniform Tire Quality Grading System (UTQGS). The test methodology is expected to be similar to the current concept used for UTQGS. (NPRM 1979 rule 1980, effective 1982.)

Low Tire Pressure Warning. Establish minimum performance requirements for a low tire pressure warning device and require that all vehicles be equipped with such devices as original equipment. (NPRM 1978, rule 1979, effective 1981.)

Direct Fields of View. Specify requirements for all vehicles by limiting the extent to which vehicle structures obstruct the driver's line of sight, improve night-time visibility by establishing glazing surface light transmission levels and specify visibility or ground surface targets from buses. (NPRM 1978, rule 1979, effective 1981-82.)

Rearview Mirror Systems. Require that drivers of all vehicles be able to see a higher percentage of target areas directly behind and on either rear side of the vehicle than is currently required by FMVSS 111, and require that outside mirrors meet breakaway or foldaway requirements to reduce pedestrian injuries. (NPRM 1978, rule 1979, effective 1981-82.)

Rear Lighting and Signalling. A recent study on a taxi fleet showed that rear-end accidents were reduced by almost 50 percent on taxis equipped with separate high-mounted brake lights. If additional research confirms these findings, FMVSS 108 will be amended to require separate high-mounted brake lights on all vehicle types. (NPRM 1980, rule 1981, effective 1983.)

Uniform Tire Quality Grading System (UTQGS). Effective dates for the present UTQGS regulations requiring grading information in the areas of treadwear, traction and temperature resistance for bias and belted bias tires will be established in 1978. A future amendment to this regulation will incorporate grading requirements for radial tires. Issuance of this amendment is planned for 1979, subsequent to additional analysis of radial tire treadwear. Rule 1978 and 1979 effective 1979-1980.

Brake Inspectability. Require that brakes on all vehicles under 10,000 pounds GVWR (e.g. new passenger cars, light trucks, multi-purpose passenger vehicles and vans) be designed so that the brake shoes or pads and

[1] Rulemaking initiatives represent areas where information now available appears sufficient to justify Federal rulemaking action.

[2] The range of dates reflects the agency's present uncertainty of the specific year for which it is anticipated the rule will first become mandatory. It does not represent a phased implementation of the rule.

[3] Where it appears in Sections II A1 and II A2, the term "all vehicles includes all *motor* vehicles except motorcycles, unless otherwise specified.

other components can be inspected without removing the wheel. ANPRM 1978, NPRM 1979, rule 1980, effective 1982–1983.

Theft Protection. Amend FMVSS 114 by providing requirements that would further impede entry into, and operation of, a vehicle by unauthorized persons. Also, extend the standard to all vehicles under 10,000 pounds GVWR (e.g. light trucks, vans and multi-purpose passenger vehicles.) NPRM 1978, rule 1979, effective 1981.

Speedometers and Odometers. Establish requirements for the installation and accuracy of speedometers and odometers, limit indicated speed and require tamper-resistant odometers on all vehicles, including motorcycles. NPRM issued rule 1978, effective 1980–1981.

Controls and Displays. Amend FMVSS 101 to specify the location and method of operation for certain controls on the instrument panel and steering column of passenger cars, light trucks, vans and multi-purpose passenger vehicles and to specify the location and visibility of certain displays on the instrument panel. NPRM 1979, rule 1980, effective 1982.

Seat Belt Assemblies (Active Belts). Improve seat belt comfort, convenience, reliability and effectiveness by prescribing parameters for performance and dynamic testing of seat belt assemblies. ANPRM issued NPRM 1978, rule 1979, effective 1981.

2. *Technical Amendments.*[4]

Motorcycle Helmet compliance Test. Extend FMVSS 218 to cover large and small motorcycle helmets. The current standard applies only to medium sized helmets. NPRM 1979, rule 1980, effective 1981.

Roadwheel Identification and Selection. Specify that wheels be marked with load ratings and that the wheels used on all new vehicles meet the loading requirements of the vehicle (FMVSS 110 and 120). NPRM 1979, rule 1980, effective 1981–1982.

Rearview Mirror Systems. This amendment to FMVSS 111 will provide for optional plane and convex mirrors on trucks. NPRM issued rule 1978, effective 1980.

Headlight Candlepower. This amendment to FMVSS 108 will permit greater candlepower for high beam lights on pasenger card and will place requirements on low beam pattern and headlight aiming. NPRM issued rule 1978, effective 1978.

Clearance and Identification Lamps. An amendment to FMVSS 108 will consider deleting mounting height requirements for truck clearance and identification lamps. NPRM issued rule 1979, effective 1980–1981.

Controls and Displays. FMVSS 101 will be amended to permit manufacturers of all vehicles to use symbols adopted by the International Standards Organization (ISO) for identifying vehicle controls and displays. NPRM issued rule 1978, effective 1979–1981.

Motorcycle Brakes: Change the current FMVSS 122 test procedure. The proposed procedure involves towing the motorcycle behind a truck so that the motorcycle is roll-constrained (i.e., supported so that it cannot tip over) and eliminates the need for a test rider during high-speed braking tests. The current water immersion procedure may be replaced by a water spraying system during the wet recovery tests. (NPRM 1979, rule 1980, effective 1981–82.)

Gross Coupling Weight Rating. An amendment to the regulations on certification (Part 575) of vehicles manufactured in two or more stages (Part 568) will require labelling of the gross coupling weight rating (GKWR) on all semitrailers. (NPRM issued rule 1978, effective 1979.)

Door Locks and Retention Components. This amendment will extend the applicability of the present FMVSS 206 to cover transverse rear doors, e.g., those on hatchback passenger cars. Existing FMVSS 206 test procedures will be clarified. (NPRM 1978, rule 1979, effective 1980–81.)

3. *Exploratory Rulemaking*[5]

Occupant Protection Upgrade. Four crash protection standards would significantly increase the level of occupant protection in frontal, side, rear and rollover crashes by consolidating the present crashworthiness standards on vehicle components (i.e., steering column, instrument panel, side doors, roof, door latches and hinges) into system performance standards and by replacing current static test requirements with more realistic dynamic crash tests at various speeds. Reduced aggressiveness of certain vehicles in vehicle-to-vehicle crashes would be incorporated into these standards. A new generation of test dummies will be developed to permit dynamic crash tests required by this new series of occupant protection standards.

Pedestrian Protection. Standards would require appropriate modification to vehicle bumpers, hood edges, hood surfaces and windshield headers to reduce the severity of pedestrian injuries.

Motorcycle Rider Protection. A series of standards would insure the integrity of safety related vehicle components, increase the level of rider protection, and improve the visibility of the motorcycle rider in the traffic environment.

Aftermarket Brakes. Aftermarket brake shoe and pad assemblies are highly variable in their reliability and performance. Requirements would address such areas as friction properties, fade, wear rates, and performance under wet conditions, so that replacement brake shoes and pads will be equivalent to original equipment.

Truck Brakes. This standard would significantly upgrade the braking performance requirements for all heavy trucks and trailers regardless of the method of brake actuation system (e.g., air or hydraulic).

Advanced Braking Systems. Requirements would substantially upgrade the performance of passenger car, van, bus, light truck, and multi-purpose passenger vehicle brakes. Consideration will be given to anti-lock systems, automatic warning and actuation systems, and to the development of braking systems that have a significantly longer life.

Motorcycle Brake Upgrade. The standard would establish requirements for improved stopping distances and greater stability during braking. A major emphasis will be placed on preventing or reducing wheel lock-up.

Traction Amendment. This amendment to FMVSS 119 would call for a major upgrade of the existing requirements applicable to trucks, buses, multi-purpose passenger vehicles, and trailers. Improved tire traction is important if the full benefits of upgraded braking systems are to be realized. A traction standard for passenger cars will be issued much earlier than this amendment based on the technology developed in the uniform tire quality grading program.

Truck Ride Quality. Rulemaking activities in this area would define and set limits on vibration and other ride quality characteristics of large trucks which not only pose a health threat to the driver but also result in a safety hazard to all road users. One of the initial standards would set requirements on the location of the "fifth wheel" on tractor-trailer combinations.

Electric, Hybrid, and Restricted Performance Vehicles. A substantial increase in the number of electric and lightweight restricted performance vehicles is expected in the future. Standards would be developed to insure a satisfactory level of crashworthiness and operational safety of these unique vehicles.

Flammability and Toxicity of Interior Materials. This standard would extend coverage of existing FMVSS 302 to recreational vehicles and generally upgrade existing performance requirements including limitations on

[4] The purpose of these rulemaking actions is primarily to clarify existing requirements or resolve specific technical problems.

[5] This category includes motor vehicle safety areas where the need for improvement is obvious but where precise solutions have not yet been difined or developed and/or where it is not certain that Federal regulation is the best alternative. However, in most cases the research and engineering activities are expected to lead to rulemaking sometime between 1960 and 1983.

toxic fumes emitted from burning interior materials. NHTSA will closely monitor the technological advancement made by other Federal agencies in this area and will initiate rulemaking where appropriate.

Electromagnetic Interference. Vehicle systems such as brake antilocks, air cushion electronic devices, and fuel injection monitors are highly susceptible to external and internal interferences. Standards will be developed to insure that such systems are compatible both among themselves and with other external and internal electronic devices.

Controls for the Handicapped. This standard would place safety requirements on adaptive driving aids used by handicapped drivers. Research will be undertaken to determine the nature and extent of the handicapped driver problem and to examine the effectiveness of adaptive aids presently in use. NHTSA is working closely with and depending primarily on the activities of the Veterans Administration in setting standards for adaptive aids.

Handling and Stability. Standards would improve the handling and stability characteristics of vehicles in both normal and emergency manuevers. One of the initial rulemaking actions would place requirements on yaw stability, thus reducing the incidence and severity of "spinouts" often caused by sudden and severe steering inputs.

B. FUEL ECONOMY RULEMAKING

Passenger Automobiles. Two rules are to be issued to establish fuel economy standards for Model Years 1984 through 1988. Included in the rulemaking actions will be a re-examination of previous standards. A four-to-six year lead-time will be maintained.

SCHEDULE

	Model year	
	1984-85	1986-88
ANPRM	1978	1980
NPRM	1979	1981
Rule	1979	1981

Light Trucks and Vans. Four rules are anticipated for light trucks and vans. Standards are to be established at least 18 months before the start of the model year. The second round of rulemaking (i.e., that occurring in 1979) may be expanded to include standards for model years 1984 and 1985.

	Model year			
	1980-81	1982-83	1984-85	1986-88
NPRM	Issued	1979	1980	1982
Rule	1978	1979	1980	1982

Low Volume Manufacturers. A rule may be proposed and issued to refine the requirements regarding the contents of and procedures for disposition of petitions from low volume manufacturers for exemption and for establishment of alternative standards. (NPRM, 1978, rule, 1978.

Petitions for Reductions in 1980 Fuel Economy Standards. If petitions are received for reduction of the model year 1980 fuel economy standard for passenger automobiles, a decision will be issued. (Proposed decision, 1979, final decision, 1979.)

C. TERMINATED MOTOR VEHICLE SAFETY RULEMAKING ACTIVITIES

In the process of establishing priorities, the NHTSA has reviewed all pending actions, has identified those with low priority, and contemplates terminating any further rulemaking on the following open actions:

Docket 74-5 Lamps, Reflection Devices and Associated Equipment (FMVSS 108).—An NPRM (January 30, 1974; 39 FR 3833) proposed to establish performance requirements for (and permit use of) optional accelerator position indicator lamps and deceleration signals. These include red, yellow, and green tri-lites as well as panic stop signals. The NHTSA is currently investigating alternative methods to reduce the incidence of rear-end collisions and an NPRM is planned in 1980 on Rear Lighting and Signalling as described in the Rulemaking Initiatives section of this plan.

Another NPRM published on July 22, 1976, (41 FR 30138) proposed an increase in the maximum candlepower at two test points for motorcycle headlamps, one on low beam and the other on high beam. This proposed amendment was in response to a petition from a headlamp manufacturer who wishes to market a system which exceeds the maximum candlepower requirements of FMVSS 108. The NHTSA plans to conduct a thorough review and evaluation of motorcyle headlamp requirements.

Docket 74-2 New Pneumatic Tires (FMVSS 109).—An NPRM (January 10, 1974; 39 FR 1516) proposed a new laboratory test for measuring tire endurance. There are indications that the laboratory test procedures proposed at that time may not be representative of actual road use. It is recognized that in recent years there have been substantial changes in the types of tires purchased and used. The results of defects investigations and other studies will determine the need for further rulemaking in this area.

Docket 2-1 Occupant Protection in Interior Impacts (FMVSS 201).—A Notice (May 22, 1973; 38 FR 13490) informed the public that a previous NPRM was being revised and the NHTSA would eventually issue a new NPRM. No upgrading of this standard is planned now that the FMVSS 208 passive restraint requirement is in effect, except for the extension of FMVSS 201 to light trucks, vans, and multi-passenger vehicles, which will be handled through a separate docket. Interior protection improvements will be included in future occupant protection standards.

Docket 74-13 Head Restraints (FMVSS 202) and Seating Systems (FMVSS 207).—An NPRM (March 19, 1974; 39 FR 10268) proposed to: (1) extend applicability of 202 to multipurpose passenger vehicles (MPV's), light trucks, and bus driver seats; (2) establish barrier crash testing for cars, MPV's and light trucks; and (3) consolidate 202 with 207 because of the logical relationship between head restraints and seats.

Any future upgrade of seats and head restraints will become an integral part of the Occupant Protection Upgrade described in the Exploratory Rulemaking section of this plan.

Docket 74-30 Door Locks and Door Retention Components (FMVSS 206).—An NPRM (August 14, 1974; 39 FR 29198) proposed an amendment that would clarify the test procedure for longitudinal and transverse latch load tests.

This docket has been inactive since 1974, due to a need for additional data and a lack of NHTSA manpower. No further action on this standard is planned except for a minor amendment to clarify the test procedure and extend FMVSS 206 to cover transverse rear doors which will be handled through a separate docket. Future upgrading of door lock and retention requirements will be incorporated into the amentment of FMVSS 214—Side Impact Protection.

Docket 74-41 Flammability of Interior Materials (FMVSS 302).—An NPRM (November 15, 1974; 39 FR 40305) proposed extension of 302 applicability to campers and trailers other than those sold for cargo transport. This docket has been inactive since 1974 due to its low priority. Further modifications to FMVSS 302 may result from the Flammability and Toxicity of Interior Materials activities described in the Exploratory Rulemaking section of this plan, but these will be handled through Docket 3-3.

Docket 73-11 Odometer Study.—A Notice (May 1, 1973; 38 FR 10750) solicited information on the extent to which the reliability of motor vehicle odometers could be improved and on the technical feasibility of producing tamper-proof odometers.

Comments from this Notice were used to develop a report to Congress, as required by the Motor Vehicle Information and Cost Savings Act. The results of this study have been incorporated into the rulemaking action of Docket 76-6, Speedometers and Odometers, and further rulemaking in this

area will be implemented in Docket 76-6. (See Technical Amendments Section of this Plan.)

Docket 74-8 High Speed Warning.—A Notice (December 1, 1970; 35 FR 18295 (Docket 1-19)) had proposed a 95 mph maximum speed capability; a system of warning lights and horns which would operate at 81-to-85 mph; and an 85 mph speedometer limitation. This was a controversial proposal and the NHTSA determined that neither the maximum speed capability nor the warning appeared practicable. The speedometer limitation was retained, and an NPRM (February 22, 1974; 39 FR 6765) requested comment on this proposal. Based partially on comments to the 1974 Notice, Docket 76-6, Speedometers and Odometers, was opened with an NPRM (December 13, 1976; 41 FR 54204) proposing among other requirements, a maximum speedometer reading of 85 mph.

Docket 74-8 has been superseded by the more comprehensive rulemaking proposed in Docket 76-6. (See Technical Amendments Section of this Plan).

Docket 75-22 Mounted Bicycle Carriers.—An ANPRM (September 3, 1975; 40 FR 40537) solicited information on a contemplated rule on bicycle carriers which would reduce or eliminate sharp edges, limit their projection beyond a specified distance, and require affixing labels to warn against front end mounting. Data in comments received on the ANPRM appear insufficient to develop a proper analysis and justification of a rule. Rulemaking on this subject has been assigned a low priority. Any further work in this area will be included as an upgraded pedestrian protection standard.

Docket 70-21 Spray Protectors.—An NPRM (September 4, 1970; 38 FR 28840) proposed a new standard to establish requirements for spray protectors to deflect spray and debris thrown up by rear wheels. The standard was to apply to passenger cars, MPV's, trucks, buses and trailers. A subsequent Notice (October 17, 1973; 38 FR 28840) announced that the NHTSA had determined that further research was necessary before issuing a rule. The Federal Highway Administration (FHWA) is currently testing trucks for splash, spray, and aerodynamic stability, and NHTSA is awaiting the results which are due in 1979.

Sufficient data to justify a rule does not appear to be available at this time.

Docket 73-21 Multi-purpose Passenger Vehicle Definition (Part 571.1).—An NPRM (September 4, 1973; 38 FR 23804) proposed an amendment to the definition of multi-purpose passenger vehicle for the purpose of the motor vehicle safety standards, to eliminate the reference to features for "off road operation." Currently, an MPV is a vehicle constructed on a truck chassis with special features for occasional off-road operation. MPV's are currently not required to meet several safety standards.

NHTSA currently plans to extend FMVSS's 201, 203, 204, and 208 to include MPV's. Consequently, a manufacturer will no longer be able to avoid having to comply with safety standards by having a vehicle classified as an MPV. Since the potential problem is being corrected by extending the applicability of standards to these vehicles, there appears no longer to be a need to amend the definition of MPV's.

Docket 73-1 Vehicle Seating Reference.—An NPRM (January 17, 1973; 38 FR 1645) defines a procedure for installing a weighted Society of Automotive Engineers (SAE) manikin in the driver's seat and a method of determining the manikin's hip joint location and its relation to the manufacturer's seating reference point.

The International Standards Organization (ISO) is currently conducting research in this area with no NHTSA action planned until results of this research are available, in approximately two years. This docket may be reopened if ISO research indicates the need for rulemaking.

Docket 75-23 Electrical System Integrity.—An ANPRM (September 4, 1975; 40 FR 40853) requested information relevant to decreasing electrical system fires and insuring the crashworthiness of the electrical system components.

This issue is currently being studied in an R&D contract in an attempt to determine the magnitude of the problem and to evaluate the usefulness of a safety rule. A parallel study is examining the issue of battery safety.

This issue is currently low priority, with no clear definition of the problem or available solutions. This docket will be reopened only if the R&D effort demonstrates a need for rulemaking.

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